

WEDNESDAY, FEBRUARY 6, 1991

SIXTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Doug Baker, Parrans Chapel Baptist Church, Bolivar, Tennessee.

Representative Page Walley led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Bell; due to out-of-town commitment.

Representative R. Jones; due to out-of-town commitment.

Representative Napier; to attend the annual meeting of the National Association of Conservation Districts in Atlanta, Georgia.

Representative Nuber; due to family business.

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REPORTS FROM STANDING COMMITTEES

GOVERNMENT OPERATIONS COMMITTEE

February 5, 1991

MR. SPEAKER: Your Government Operations Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 38, 40, 46, 48 and 154.

KING, Chair.

Under the rules, House Bill(s) No(s). 38, 40, 46, 48 and 154 was/were transmitted to the Calendar and Rules Committee.

ENROLLED BILLS

February 5, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 20, 21, 22, 23, 53 and 56; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

February 5, 1991

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 20, 21, 22, 23, 53 and 56.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

February 5, 1991

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 20, 21, 22, 23, 53 and 56; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

February 5, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 34, 35, 36, 38, 39, 40, 41, 42, 43, 44,

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46 and 47; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CONSENT CALENDAR

House Joint Resolution No. 0027 -- Naming and Designating --
J.D. White Gymnasium.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Givens, Haley, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, U. (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Buck moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 63 out of order, which motion prevailed.

House Joint Resolution No. 0063 -- Memorials, Government Officials -- Urges Tennessee Code Commission to take certain action. by *Buck, *Williams, K.

On motion, the rules were suspended for the immediate consideration of the resolution.

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On motion of Rep. Buck, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

On motion of Rep. Winningham, **Senate Joint Resolution No. 62** was recalled from the State and Local Government Committee, which motion prevailed.

Senate Joint Resolution No. 0062 -- Naming and Designating -- Yellowwood Tree, Bicentennial Tree.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Winningham, the resolution was concurred in.

A motion to reconsider was tabled.

APPOINTMENT OF SELECT COMMITTEES

The Speaker announced that he has appointed the following members to the Council on Pensions and Insurance: Representatives Bragg, Kisber, Head, Rhinehart, Copeland, and Chiles.

The Speaker announced that he has appointed the following members to the Joint Management Committee: Representatives Chiles, McAfee, Rhinehart and Purcell and Speaker Naifeh.

The Speaker announced that he has appointed the following members to the Select Committee on Children and Youth: Representatives Purcell, Chumney, Armstrong, Bragg, Williams (Shelby), Givens, Whitson, DeBerry and Turner (Hamilton).

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 63: Rep(s). Arriola and Ferguson as prime sponsor(s).

House Bill No. 133: Rep(s). Winningham as prime sponsor(s).

House Bill No. 176: Rep(s). Armstrong, DeBerry, Halteman, Speaker Naifeh, Nuber, Pinion, Sipes, and Stamps as prime sponsor(s).

House Bill No. 402: Rep(s). Kisber as prime sponsor(s).

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House Bill No. 411: Rep(s). Ridgeway as prime sponsor(s).

House Bill No. 460: Rep(s). Tindell as prime sponsor(s).

House Bill No. 706: Rep(s). Sipes as prime sponsor(s).

House Joint Resolution No. 25: Rep(s). Anderson, Arriola, Bittle, Bragg, Buck, Cole, Collier, Crain, Davis (Gibson), Ferguson, Fowkles, Gunnels, Harrill, Hassell, Johnson, Ridgeway, Robinson (Davidson), Sipes, Tullos and Windle as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

House Resolution No. 0001 -- General Assembly, Studies -- Creates special house committee to study environment, air and groundwater quality issues. by *Jackson.

Referred by the Speaker to the Conservation and Environment Committee.

House Joint Resolution No. 0052 -- Memorials, Public Service -- Thoma family, Tullahoma Board of Education. by *Curlee.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0057 -- Memorials, Death -- Benjamin L. Longley. by *Bivens.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0058 -- Memorials, Public Service -- Joe McDaniel, soil conservationist. by *McDaniel, *Hillis, *Sipes.

Referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0059 --** General Assembly, Studies -- Creates joint committee to study state funded food service facilities. by *McDaniel, *Chiles.

Referred by the Speaker to the State and Local Government Committee.

House Joint Resolution No. 0060 -- Memorials, Public Service -- Glen Burse. by *Walley.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0061 -- Memorials, Death -- Dr. Harold W. Bradley. by *Odom.

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Referred by the Speaker to the Calendar and Rules Committee.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Senate Joint Resolution No. 0052 -- Memorials, Public Service
-- Tennessee Baptist Children's Homes, Inc., Centennial.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0053 -- Memorials, Public Service
-- Judge Donald L. Washburn.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0055 -- Memorials, Personal
Achievement -- Eric Richard Manahan.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0058 -- Memorials, Professional and
Business Achievement -- Murfreesboro, No. 1 medium sized city.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0060 -- Memorials, Public Service
-- Royce A. Davenport, Mayor, McMinnville.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0071 -- Memorials, Death -- J. W.
Cooper.

Referred by the Speaker to the Calendar and Rules Committee.

RULES SUSPENDED

Rep. Rigsby moved that the rules be suspended for purpose of
concurring in Senate Joint Resolution No. 57, which motion prevailed.

Senate Joint Resolution No. 0057 -- Memorials, Sports -- Marion
County High School football team, Class AA state champions.

On motion of Rep. Rigsby, the resolution was concurred in.

A motion to reconsider was tabled.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first
consideration:

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House Bill No. 0719 -- Public Service Commission -- Increases fee for application of temporary certificate of convenience and necessity. Amends TCA, Title 65, Ch. 15. by *Robinson Robb, *DeBerry, *Kisber.

Passed first consideration.

House Bill No. 0720 -- County Officers -- Imposes time restriction on appointment of certain county officers by certain chief administrative officers. Amends TCA 54-7-105. by *Robinson Robb.

Passed first consideration.

House Bill No. 0721 -- Safety, Dept. of -- Creates division of protective services. Amends TCA 4-3-2006. by *Rhinehart.

Passed first consideration.

House Bill No. 0722 -- Alcoholic Beverages -- Revises application requirements for non-resident seller permits. Amends TCA 57-3-605. by *Rhinehart.

Passed first consideration.

House Bill No. 0723 -- State Employees -- Makes extension of group health insurance to surviving spouse of state employee killed in line of duty retroactive to May 1, 1990. Amends TCA 8-27-208. by *Jackson.

Passed first consideration.

House Bill No. 0724 -- Pensions and Retirement Benefits -- Allows member of superseded retirement system to transfer creditable service to that system from TCRS. Amends TCA, Title 8, Ch. 34, Pt. 7. by *Phillips.

Passed first consideration.

House Bill No. 0725 -- Election Laws -- Eliminates certain counties from requirement of sending duplicate registration books to polling place. Amends TCA 2-5-216. by *Meyer.

Passed first consideration.

House Bill No. 0726 -- Animals -- Allows propagation of all wildlife. Amends TCA, Title 43; Title 70, Ch. 4, Pt. 4. by *Niceley, *Rigsby.

Passed first consideration.

House Bill No. 0727 -- Loudon -- Covers all city employees under civil service. Amends Chapter 74, Private Acts of 1975, as amended. by *Gunnels.

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Passed first consideration.

House Bill No. 0728 -- Taxes, Real Property -- Revises amount of damages to improvements to real property before eligibility for tax relief occurs. Amends TCA, Title 67, Ch. 5. by *West.

Passed first consideration.

House Bill No. 0729 -- Public Records -- Requires records of employee assistance program be confidential. Amends TCA 10-7-504. by *West.

Passed first consideration.

House Bill No. 0730 -- Intergovernmental Relations -- Expands grounds for interlocal agreements. Amends TCA 12-9-104. by *Hubbard.

Passed first consideration.

House Bill No. 0731 -- Education, Higher -- Requires matching funds contributed by universities to be composed of private donations to fund chairs of excellence. Amends TCA, Title 49, Ch. 7, Pt. 5. by *Shirley.

Passed first consideration.

House Bill No. 0732 -- Education, Higher -- Repeals chairs of excellence program. Repeals TCA, Title 49, Ch. 7, Pt. 5. by *Shirley.

Passed first consideration.

House Bill No. 0733 -- Election Laws -- Limits types of identification allowable at polls as evidence of registration. Amends TCA 2-7-112. by *Chiles.

Passed first consideration.

House Bill No. 0734 -- Real Property -- Permits jury to establish fair market value of real property to be sold for partition. Amends TCA, Title 29, Ch. 27, Pt. 2. by *Chiles.

Passed first consideration.

House Bill No. 0735 -- Obscenity and Pornography -- Revises law relative to the production and distribution of certain obscene matter. Amends TCA 39-17-902. by *Chiles.

Passed first consideration.

House Bill No. 0736 -- Election Laws -- Removes right of certain elderly or handicapped persons to vote at election commission office on election day; expands absentee voting for such persons. Amends TCA, Title 2, Chs. 3, 6. by *Chiles.

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Passed first consideration.

House Bill No. 0737 -- Election Laws -- Removes publication requirement for names of absentee voters. Amends TCA, Title 2, Ch. 6. by *Chiles.

Passed first consideration.

House Bill No. 0738 -- Dentists -- Establishes guidelines for license requirements for dentists and dental hygienists. Amends TCA 63-5-107, 110, 128. by *Chiles.

Passed first consideration.

House Bill No. 0739 -- Teachers -- Allows retired teacher to be reemployed and still draw pension. Amends TCA, Title 8, Ch. 36. by *Wood.

Passed first consideration.

House Bill No. 0740 -- Sexual Offenses -- Allows rape victim to have another person present at certain interviews. by *Chumney.

Passed first consideration.

House Bill No. 0741 -- Funeral Directors and Embalmers -- Enlarges funeral directors licensing board. Amends TCA 62-5-201. by *Robinson Robb, *Ridgeway, *Turner B, *Garrett.

Passed first consideration.

House Bill No. 0742 -- County Government -- Limits period during which Class 2 county legislative body must act to determine compensation of successor legislative body. Amends TCA 5-5-107. by *Copeland, *Turner B, *Meyer, *McAfee, *Robinson C B, *Wood.

Passed first consideration.

House Bill No. 0743 -- Sexual Offenses -- Prohibits certain conduct between psychotherapist and client. Amends TCA, Title 39, Ch. 13, Pt. 5. by *McDaniel, *Sipes.

Passed first consideration.

House Bill No. 0744 -- Architects and Engineers -- Exempts certain day care facilities from requirement that registered architect or engineer prepare plans. Amends TCA 62-6-102. by *McDaniel, *Sipes.

Passed first consideration.

House Bill No. 0745 -- Taxes, Real Property -- Raises income and property assessment levels for eligibility for property tax relief for elderly and disabled. Amends TCA, Title 67, Ch. 5. by *McDaniel, *Sipes.

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Passed first consideration.

House Bill No. 0746 -- Motor Vehicles -- Creates special license plates for retired members of Armed Forces. Amends TCA, Title 55, Ch. 4, Pt. 2. by *McDaniel, *Sipes.

Passed first consideration.

House Bill No. 0747 -- Motor Vehicles, Titling and Registration -- Authorizes free license plates for recipients of Navy Cross, Air Force Cross and Distinguished Service Cross. Amends TCA 55-4-236. by *Hillis, *Ridgeway, *DeBerry, *Naifeh, *Kisber, *Love, *Davidson, *Windle, *Wix, *Rhinehart, *Severance.

Passed first consideration.

House Bill No. 0748 -- Utilities, Utility Districts -- Authorizes certain nonprofit homeowner's associations to be incorporated as separate utility district. Amends TCA 7-82-201. by *Duer, *Hillis.

Passed first consideration.

House Bill No. 0749 -- Highway Signs -- Permits participation of certain campgrounds in logo sign program. Amends TCA, Title 54, Ch. 5, Pt. 11. by *Duer, *Hillis.

Passed first consideration.

***House Bill No. 0750** -- Drugs -- Prohibits certain physicians from prescribing amphetamines for certain purposes. Amends TCA 53-10-109. by *Duer.

Passed first consideration.

House Bill No. 0751 -- Election Laws -- Authorizes run-off elections in municipal elections under certain circumstances. Amends TCA 2-8-111, 6-53-104. by *Duer.

Passed first consideration.

***House Bill No. 0752** -- Education -- Enacts "Education Improvement Act of 1991". Amends TCA, Titles 8, 49. by *Purcell, *Davidson, *Hubbard, *Naifeh, *Halteman, *Whitson, *DeBerry, *Kisber, *Ridgeway, *Bragg, *Winningham, *Jones U, *King, *Rhinehart, *Crain, *Jackson, *Davis Ray, *Byrd, *Kernell, *Jones R, *Robinson C B, *Love.

Passed first consideration.

House Bill No. 0753 -- Public Service Commission -- Gives municipalities power to grant municipal franchise to certain telephone companies. Amends TCA, Title 65. by *Bragg.

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Passed first consideration.

House Bill No. 0754 -- Economic and Community Development, Dept. of -- Requires publication of manufacturers directory. Amends TCA, Title 4, Ch. 14. by *Winningham.

Passed first consideration.

House Bill No. 0755 -- Tort Liability -- Provides for method of reimbursement for damage caused by wildlife under certain circumstances. Amends TCA, Title 9, Ch. 8; Title 70. by *Winningham.

Passed first consideration.

House Bill No. 0756 -- Tennessee Wildlife Resources Agency -- Restricts hunting to county residents during the first part of each open season. Amends TCA, Title 70, Ch. 4. by *Winningham.

Passed first consideration.

House Bill No. 0757 -- Taxes, Real Property -- Increases threshold for property tax relief for elderly. Amends TCA, Title 67, Ch. 5. by *Arriola, *Ferguson, *Turner B, *Dixon, *Robinson Robb, *Jones U, *West, *Head, *Buck, *Byrd, *Purcell, *Hargrove, *Clark, *Pruitt, *Robinson C B, *Hill, *Kisber, *Ridgeway, *DeBerry, Windle, Knight, Fowlkes, Love, Chumney, Tindell.

Passed first consideration.

House Bill No. 0758 -- Taxes -- Lowers rate of interest county or municipality must pay if taxpayer prevails in appeal. Amends TCA 67-5-1512. by *Arriola.

Passed first consideration.

House Bill No. 0759 -- Liens -- Provides for collection of costs for removal of vegetation from certain lots and for repairs to certain structures. Amends TCA 6-54-113, 13-21-103. by *Arriola.

Passed first consideration.

***House Bill No. 0760** -- Pensions and Retirement Benefits -- Limits number of companies from which optional retirement programs may be purchased. Amends TCA 8-35-401. by *Rhinehart.

Passed first consideration.

House Bill No. 0761 -- Pensions and Retirement Benefits -- Terminates retirement coverage for certain part time county officials. Amends TCA, Title 3, Ch. 9; Title 8, Chs. 25, 27, 34--38, 50. by *Rhinehart.

Passed first consideration.

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House Bill No. 0762 -- Pensions and Retirement Benefits -- Repeals provision that allows members who withdrew from TCRS to be eligible for membership and to reestablish credit for service on county boards and commissions. Amends TCA, Title 8, Chs. 34--37. by *Rhinehart.

Passed first consideration.

***House Bill No. 0763** -- Taxes, Gasoline, Petroleum Products -- Penalizes late filing of documentation of petroleum products shipped outside state by reducing tax credit by 5 percent increments for each month past filing deadline. Amends TCA 67-3-910. by *Rhinehart.

Passed first consideration.

House Bill No. 0764 -- Criminal Procedure -- Reduces amount of fee to be collected by clerk of court. Amends TCA, Title 40, Ch. 24. by *Copeland.

Passed first consideration.

House Bill No. 0765 -- Taxes, Real Property -- Increases annual income limitation to certain low income taxpayers. Amends TCA, Title 67, Ch. 5. by *Wood.

Passed first consideration.

House Bill No. 0766 -- Judicial Officers -- Authorizes certain counties to appoint judicial commissioners. Amends TCA 40-1-111. by *Turner B.

Passed first consideration.

House Bill No. 0767 -- Taxes, Hotel Motel -- Provides stricter administration and collection of taxes. Amends TCA, Title 67, Ch. 4, Pt. 14. by *Turner B.

Passed first consideration.

House Bill No. 0768 -- Taxes -- Revises certain tax obligations of certain financial institutions. Amends TCA 67-4-804--806, 815, 817, 67-4-903, 914, 919. by *Kisber, *Bragg, *Turner B, *Jones R, *Sipes, *Copeland.

Passed first consideration.

House Bill No. 0769 -- Insurance, Health, Accident -- Revises funding mechanism for Tennessee comprehensive health insurance pool. Amends TCA, Title 56, Ch. 39; Title 63. by *Kisber, *Bragg, *Jones R, *West, *Sipes.

Passed first consideration.

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House Bill No. 0770 -- Taxes -- Allows for credit for bad debts against certain taxes. Amends TCA 67-4-711, 507. by *Kisber, *Bragg, *Turner B, *Jones R, *West, *Sipes, *Copeland.

Passed first consideration.

House Bill No. 0771 -- Taxes -- Provides for tax exemption of certain pollution control improvements and facilities. Amends TCA, Title 67. by *Kisber, *Bragg, *Turner B, *Jones R, *West, *Sipes, *Copeland.

Passed first consideration.

House Bill No. 0772 -- Taxes -- Repeals Beneficial Use Tax Act of 1990. Repeals TCA, Title 67, Ch. 4, Pt. 15. by *Kisber, *Bragg, *Turner B, *West, *Sipes, *Copeland.

Passed first consideration.

House Bill No. 0773 -- Hospitals and Health Care Facilities -- Defines "rehabilitation center". Amends TCA, Title 68, Ch. 11. by *Arriola.

Passed first consideration.

House Bill No. 0774 -- Parks, Natural Areas Preservation -- Enacts "State and Local Parks and Recreation Partnership Act of 1991". Amends TCA, Title 67, Ch. 4. by *Odom.

Passed first consideration.

House Bill No. 0775 -- Alcoholic Beverage Commission -- Expands enforcement authority. Amends TCA, Title 57, Ch. 1. by *Kent.

Passed first consideration.

House Bill No. 0776 -- Children -- Requires testing of newborn for certain diseases. Amends TCA 68-5-401. by *Knight, *Kernell, *Turner B, *Pinion, *Robinson Robb, *Napier, *Dixon, *Arriola, *Pruitt, *Armstrong, *Peroulas Draper, *Collier, *Haun, DeBerry, Severance, Robinson C B, Walley, Herron, Fowlkes.

Passed first consideration.

***House Bill No. 0777** -- Sunset Laws -- Extends termination date of home improvement commission. Amends TCA, Title 4, Ch. 29; Title 62, Ch. 37. by *King, *Garrett, *Kernell.

Passed first consideration.

***House Bill No. 0778** -- Sunset Laws -- Extends termination date of commission on children and youth. Amends TCA, Title 4, Ch. 29; Title 37, Ch. 3. by *King, *Garrett, *Kernell.

Passed first consideration.

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***House Bill No. 0779** -- Sunset Laws -- Extends termination date of board of reclamation review. Amends TCA, Title 4, Ch. 29; Title 59, Chs. 8, 10. by *King, *Garrett, *Kernell.

Passed first consideration.

House Bill No. 0780 -- Education -- Revises compulsory attendance age. Amends TCA, Title 49, Ch. 6, Pt. 30. by *Tindell, *Armstrong, *Peroulas Draper, *DeBerry, *Turner L, *King, *Halteman, *Hillis, *Purcell, *Kisber, Johnson.

Passed first consideration.

House Bill No. 0781 -- Banks and Financial Institutions -- Expands scope of Reciprocal Banking Act by authorizing trust department acquisitions in certain circumstances. Amends TCA 45-12-103. by *Jackson, *West.

Passed first consideration.

House Bill No. 0782 -- Hickman County -- Increases severance tax on phosphate rock. Amends Chapter 92, Private Acts of 1979. by *Jackson.

Passed first consideration.

House Bill No. 0783 -- Hazardous Materials -- Revises hazardous waste provisions. Amends TCA, Title 68, Ch. 46. by *Jackson.

Passed first consideration.

House Bill No. 0784 -- Solid Waste Disposal -- Revises expiration date on local approval of certain landfills. Amends TCA, Title 68, Ch. 31, Pt. 7. by *Jackson.

Passed first consideration.

House Bill No. 0785 -- Education -- Expands list of personnel authorized to suspend students. Amends TCA 49-6-3401. by *Jackson.

Passed first consideration.

House Bill No. 0786 -- Education -- Revises hearing requirement for suspension of students for certain periods. Amends TCA 49-6-3401. by *Jackson.

Passed first consideration.

House Bill No. 0787 -- Education -- Provides employment protection for parents or legal guardians required to attend child's school for certain purposes. Amends TCA, Title 50, Ch. 1, Pt. 3. by *Jackson.

Passed first consideration.

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House Bill No. 0788 -- Highway Signs -- Allows placement of signs on rights of way, relative to commercial revitalization districts. Amends TCA, Title 54, Ch. 5. by *Robinson Robb, *Love, *Arriola, *West, *Halteman.

Passed first consideration.

House Bill No. 0789 -- Pensions and Retirement Benefits -- Decreases creditable service required to qualify for retirement benefits. Amends TCA 8-36-204. by *Rhinehart, *Purcell, *Ridgeway, *Kisber, *DeBerry.

Passed first consideration.

House Bill No. 0790 -- Solid Waste Disposal -- Requires public hearing be held before permit for landfill approved. Amends TCA, Title 68, Ch. 31. by *Jones R, *Turner L.

Passed first consideration.

House Bill No. 0791 -- Education -- Repeals Title 49. Amends TCA, Title 49. by *Davidson.

Passed first consideration.

House Bill No. 0792 -- District Attorneys -- Adds additional assistant district attorney general and criminal investigator position to 19th judicial district. Amends TCA 16-2-506. by *Davidson.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

On motion, the bills listed below were transmitted to the House and held on the Clerk's desk as noted:

Senate Bill No. 0001 -- Statutes -- Codifies Public Acts of 1990. by *Wilder. (HB 0069).

Held pending third consideration of companion House Bill.

Senate Bill No. 0352 -- Hamblen County -- Increases salaries of road commissioners. Amends Chapter 313, Private Acts of 1949, as amended. by *Lawson. (HB 0324).

Held pending third consideration of companion House Bill.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and

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were referred to committee or held on the Clerk's desk as noted:

***House Bill No. 0590 -- Municipal Government --** Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0591 -- Planning, Public --** Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0592 -- Accountants --** Passed second consideration and referred to the Commerce Committee.

***House Bill No. 0593 -- Motor Vehicles --** Passed second consideration and referred to the Commerce Committee.

***House Bill No. 0594 -- Motor Vehicles --** Passed second consideration and referred to the Judiciary Committee.

***House Bill No. 0595 -- Naming and Designating --** Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0596 -- Motor Vehicles, Titling and Registration --** Passed second consideration and referred to the Transportation Committee.

***House Bill No. 0597 -- Aircraft and Airports --** Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0598 -- Election Laws --** Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0599 -- Election Laws --** Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0600 -- Election Laws --** Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0601 -- Aircraft and Airports --** Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0602 -- Aircraft and Airports --** Passed second consideration and referred to the Transportation Committee.

***House Bill No. 0603 -- Liens --** Passed second consideration and referred to the Consumer and Employee Affairs Committee.

***House Bill No. 0604 -- Highways, Roads and Bridges --** Passed

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second consideration and referred to the Transportation Committee.

***House Bill No. 0605** -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0606 -- Bad Checks -- Passed second consideration and referred to the Judiciary Committee.

***House Bill No. 0607** -- Real Estate Agents and Brokers -- Passed second consideration and referred to the Commerce Committee.

***House Bill No. 0608** -- Financial Disclosure -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0609** -- Taxes, Severance -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0610 -- Courts, Appeal -- Passed second consideration and referred to the Judiciary Committee.

***House Bill No. 0611** -- Taxes, Severance -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0612** -- DUI/DWI Offenses -- Passed second consideration and referred to the Judiciary Committee.

***House Bill No. 0613** -- Education -- Passed second consideration and referred to the Education Committee.

House Bill No. 0614 -- Fire Prevention and Investigation -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0615 -- Workers' Compensation -- Passed second consideration and referred to the Consumer and Employee Affairs Committee.

***House Bill No. 0616** -- Insurance, Health, Accident -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0617 -- Highways, Roads and Bridges -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0618 -- Workers' Compensation -- Passed second consideration and referred to the Consumer and Employee Affairs Committee.

House Bill No. 0619 -- Workers' Compensation -- Passed second consideration and referred to the Consumer and Employee Affairs Committee.

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House Bill No. 0620 -- Driver Education -- Passed second consideration and referred to the Education Committee.

House Bill No. 0621 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0622 -- Secretary of State --** Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0623 -- Fire Prevention and Investigation -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0624 -- Crime, Victims of -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0625 -- Arrests -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0626 -- Correction, Dept. of -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0627 -- Pardons and Paroles -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0628 -- Workers' Compensation -- Passed second consideration and referred to the Consumer and Employee Affairs Committee.

House Bill No. 0629 -- Workers' Compensation -- Passed second consideration and referred to the Consumer and Employee Affairs Committee.

House Bill No. 0630 -- Correction, Dept. of -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0631 -- Firearms and Ammunition -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0632 -- Real Property -- Passed second consideration and referred to the Judiciary Committee.

***House Bill No. 0633 -- County Officers --** Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0634 -- Mobile Homes and Manufactured Buildings --** Passed second consideration and referred to the Commerce Committee.

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House Bill No. 0635 -- Bethel Springs -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 0636 -- Saltillo -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 0637 -- Penal and Reformatory Institutions -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0638 -- Statutes -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0639 -- Statutes -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0640 -- Alcoholic Beverages -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0641 -- Hotels and Restaurants -- Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 0642 -- Animals -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0643** -- District Attorneys -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0644 -- Water Resources -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0645 -- Alcoholic Beverages -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0646 -- District Attorneys -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0647 -- Pensions and Retirement Benefits -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0648 -- Taxes, Income -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0649 -- Judicial Officers -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0650 -- Public Records -- Passed second

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consideration and referred to the State and Local Government Committee.

House Bill No. 0651 -- Licenses -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0652 -- Gas, Petroleum Products, Volatile Oils -- Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 0653 -- Workers' Compensation -- Passed second consideration and referred to the Consumer and Employee Affairs Committee.

House Bill No. 0654 -- Workers' Compensation -- Passed second consideration and referred to the Consumer and Employee Affairs Committee.

House Bill No. 0655 -- Workers' Compensation -- Passed second consideration and referred to the Consumer and Employee Affairs Committee.

House Bill No. 0656 -- Business and Commerce -- Passed second consideration and referred to the Commerce Committee.

***House Bill No. 0657** -- Licenses -- Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 0658 -- Workers' Compensation -- Passed second consideration and referred to the Consumer and Employee Affairs Committee.

House Bill No. 0659 -- Mental Illness -- Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 0660 -- Motor Vehicles, Titling and Registration -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0661 -- Motor Vehicles, Titling and Registration -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0662 -- Evidence -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0663 -- Motor Vehicles, Titling and Registration -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0664 -- Purchasing -- Passed second consideration and referred to the State and Local Government Committee.

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House Bill No. 0665 -- Highway Signs -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0666 -- Public Contracts -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0667 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0668 -- DUI/DWI Offenses -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0669 -- Mental Illness -- Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 0670 -- Marriage -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0671 -- Insurance, Life -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0672 -- Campaigns -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0673 -- Insurance, Life -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0674 -- Health and Environment, Dept. of -- Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 0675 -- Taxes, Income -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0676 -- Courts, Juvenile -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0677 -- Motor Vehicles, Titling and Registration -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0678 -- Campaigns -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0679 -- Criminal Offenses -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0680 -- Assessors -- Passed second consideration and referred to the Commerce Committee.

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House Bill No. 0681 -- Telecommunications -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0682 -- District Attorneys -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0683 -- Madison County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 0684 -- Health -- Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 0685 -- Education -- Passed second consideration and referred to the Education Committee.

House Bill No. 0686 -- Drug and Alcohol Rehabilitation -- Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 0687 -- Courts, General Sessions -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0688 -- Real Property -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0689 -- Insurance, Liability -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0690 -- Education, Higher -- Passed second consideration and referred to the Education Committee.

House Bill No. 0691 -- Privacy, Confidentiality -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0692 -- Evidence -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0693 -- Insurance Companies, Agents, Brokers -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0694 -- Conservation -- Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 0695 -- Commerce and Insurance, Dept. of -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0696 -- Tennessee Wildlife Resources Agency -- Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 0697 -- Insurance Companies, Agents, Brokers -- Passed second consideration and referred to the Commerce Committee.

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House Bill No. 0698 -- Driver Licenses -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0699 -- Unemployment Compensation -- Passed second consideration and referred to the Consumer and Employee Affairs Committee.

House Bill No. 0700 -- Civil Defense -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0701 -- Juries and Jurors -- Passed second consideration and referred to the Judiciary Committee.

***House Bill No. 0702 -- Animals --** Passed second consideration and referred to the Agriculture Committee.

House Bill No. 0703 -- Divorce and Annulment -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0704 -- Taxes -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0705 -- Metropolitan Government -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0706 -- Campaigns -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0707 -- Transportation, Dept. of -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0708 -- Education -- Passed second consideration and referred to the Education Committee.

House Bill No. 0709 -- Welfare -- Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 0710 -- Boards and Commissions -- Passed second consideration and referred to the Government Operations Committee.

House Bill No. 0711 -- Business and Commerce -- Passed second consideration and referred to the Government Operations Committee.

House Bill No. 0712 -- Landlord and Tenant -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0713 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0714 -- Local Education Agency -- Passed second consideration and referred to the Education Committee.

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House Bill No. 0715 -- Comptroller, State -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0716 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0717** -- Highway Signs -- Passed second consideration and referred to the Transportation Committee.

***House Bill No. 0718** -- Environmental Preservation -- Passed second consideration and referred to the Commerce Committee.

BILLS WITHDRAWN

On motion of Rep. Hill, **House Bill No. 218** was withdrawn from the House.

On motion of Rep. Love, **House Bill No. 380** was recalled from the State and Local Government Committee.

On motion of Rep. Love, **House Bill No. 380** was withdrawn from the House.

On motion of Rep. Love, **House Bill No. 382** was recalled from the Education Committee.

On motion of Rep. Love, **House Bill No. 382** was withdrawn from the House.

On motion of Rep. Fowkles, **House Bill No. 474** was withdrawn from the House.

On motion of Rep. Rhinehart, **House Bill No. 646** was recalled from the Judiciary Committee.

On motion of Rep. Rhinehart, **House Bill No. 646** was withdrawn from the House.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
February 6, 1991**

In accordance with **Rule No. 48**, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: **House Bill(s) No(s). 635 and 636.**

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**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
February 6, 1991**

MR. SPEAKER: The officers of your Calendar and Rules Committee reports that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, February 11, 1991: House Joint Resolution(s) No(s). 52, 57, 58, 60 and 61; House Bill(s) No(s). 635 and 636; also Senate Joint Resolution(s) No(s). 52, 53, 55, 58, 60 and 71.

PHILLIPS, Chair.

**REPORT OF CHIEF ENGROSSING CLERK
February 6, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 20, 21, 22, 23, 53 and 56; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**ENGROSSED BILLS
February 6, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 27 and 63; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
February 6, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 72, 73 and 74; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0072 -- Memorials, Professional and Business Achievement -- Dr. Ada Jane Walters, Greater Memphis State's 1990 Educator of the Year. by *Kyle.

Senate Joint Resolution No. 0073 -- Memorials, Professional and Business Achievement -- Dr. Marcus W. Orr, Walter A. Barret Distinguished Service Award. by *Kyle.

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Senate Joint Resolution No. 0074 -- Memorials, Public Service --
Senator Avon N. Williams, Jr. by *Harper, Wilder, et al.

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

On motion of Rep. Purcell, the House recessed until 9:00 a.m., Thursday, February 7, 1991.